



Republican Policy Committee

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Resolutions on Taiwan May Be Considered By House and Senate This Week

[See also RPC companion paper, "Clinton Administration's Policies Have Long Invited Beijing Saber-Rattling," issued 3/18/96]

This week both the Senate and the House of Representatives are expected to consider concurrent resolutions expressing the sense of the Congress regarding the ongoing Chinese military exercises in the Taiwan Strait. This paper provides a brief summary of the background on the increasingly tense situation (including the Clinton Administration's response), reviews U.S.-Taiwan relations, and details the two pending resolutions.

Beijing Begins Threatening Exercises

The armed forces of the People's Republic of China (PRC) began test firing in the direction of Taiwan three unarmed surface-to-surface ballistic missiles on Friday, March 8, 1996. These firings continued on March 13. Not coincidentally, the two missile test zones straddle the sea approaches to Taiwan's two major commercial ports, Keelung and Kaohsiung, creating the potential to disrupt shipping routes. In addition, Beijing has been staging live ammunition military exercises in the 150-mile-wide Taiwan Strait between Taiwan and the People's Republic of China since Tuesday, March 12. Some 150,000 troops of the mainland's People's Liberation Army (PLA) are engaged in these military exercises, including amphibious landing practice, in the coastal region facing Taiwan.

The PRC initially said these war games would end on March 20, three days before Taiwan's first democratic elections are scheduled to take place. However, Beijing later announced a new set of military exercises at a different location that would commence on March 18 and continue until March 25, two days after the elections in Taiwan.

Beijing's Motivations

Several political motivations appear to underlie the exercises. China wants to dissuade Taipei, which has made major strides toward democratization in recent years, from continuing its increasingly successful efforts to solidify its independent profile in the world community. Beijing is worried about the example set by a prosperous, democratic Taiwan, as well as the possibility of an eventual move by Taiwan to seek independence from China. In addition,

Beijing's saber-rattling may also be aimed at driving down the vote count for Taiwan's current president, Lee Teng-hui. China also likely wants to demonstrate to Taiwan that, in the face of overwhelming mainland military superiority, Taiwan will have to reconcile itself to eventual reunification on Beijing's terms. (To date, since the defeat of nationalist forces by the communists in 1949, the rival governments in Beijing and Taipei have agreed on only one point, that Taiwan is part of China, not a separate country.)

While most observers think that an invasion of the main island of Taiwan is unlikely, an attack on one or another of the smaller islands held by Taiwan close to the mainland cannot be ruled out. Press reports indicate that inhabitants of several of the front-line islands, some controlled by Taiwan, and some by the mainland, had been ordered to evacuate.

The Clinton Administration's Response

The Clinton Administration has dispatched elements of the U.S. 7th Fleet to the area in a show of support for Taiwan. Combat aircraft from the carrier *Independence* have been flying sorties while the PLA's exercises are being monitored. During the weekend of March 8, the United States moved one aircraft carrier battle group to an area 200 miles east of Taiwan and ordered a second carrier to return to the Western Pacific from the Persian Gulf within two weeks, along with a submarine and six other ships to reinforce the existing naval contingent. Once assembled, the Navy force will include 110 to 130 carrier-based strike aircraft and ships with over 200 Tomahawk cruise missiles.

In light of these circumstances, both the House and Senate likely will consider resolutions on Taiwan this week.

The Taiwan Relations Act of 1979

From the time that the defeated nationalist forces under Chiang Kai-Shek established their "provisional" capital on Taiwan in 1949, the United States maintained relations with the Taipei government. During the early 1970s, President Nixon established direct contact with the Beijing leadership, culminating in the establishment of liaison offices in Washington and Beijing in 1973.

On January 1, 1979, the Carter Administration changed the United States' diplomatic recognition from Taipei to Beijing. In doing so, the United States recognized Beijing as the sole legal government of a single China, of which Taiwan is a part. However, in the joint U.S.-China communique that announced the U.S. decision, it was further stated that "the people of the United States will maintain cultural, commercial, and other unofficial relations with the people of Taiwan."

Accordingly, the Taiwan Relations Act (P.L. 96-8), signed into law on April 10, 1979, provided the basic legal framework for the conduct of U.S.-Taiwan cultural and commercial relations, through quasi-official "institutes" based in Washington and Taipei, with a number of

branch offices in other cities. In addition, the Act (22 U.S.C. 3301(b)) states that it is the policy of the United States to —

- (1) Preserve ties between the people of the United States and the people of Taiwan;
- (2) Declare that the peace and stability of the area are in the “political, security and economic interests of the United States”;
- (3) Make clear that the change in U.S. relations from Taipei to Beijing was predicated on the expectation that the future of Taiwan would be **“determined by peaceful means”**;
- (4) Consider any effort to determine Taiwan’s future by other than peaceful means to be a **“threat to the peace and security of the Western Pacific area and of grave concern to the United States”**;
- (5) Provide Taiwan with **arms of a defensive character**”; and
- (6) **“Maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people of Taiwan.”**

Pursuant to this stated policy, the Act establishes (22 U.S.C. 3302) that the **“United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.”** Furthermore, these needs are to be determined by the President and the Congress **“based solely upon their judgement of the needs of Taiwan, in accordance with procedures established by law.”**

Pending Sense of Congress Resolutions in the House and Senate

Both the Senate and the House of Representatives are expected to take action on concurrent resolutions expressing the sense of the Congress regarding Taiwan. These resolutions are as follows:

S. Con. Res. 43 (Thomas/Dole/Helms/Murkowski). The resolution makes a number of findings regarding the Chinese actions, and resolves that —

- (1) The United States **“deplores”** the missiles tests and **“views them as a threat to the peace, security, and stability of Taiwan and not in the spirit of the three United States Joint Communiques”** that define U.S. relations with China”;
- (2) China **“should cease its bellicose actions directed at Taiwan”** and should enter into **“meaningful dialogue”** with Taiwan **“with an eye toward decreasing tensions and resolving the issue of the future of Taiwan”**;

- (3) The President, consistent with the Taiwan Relations Act, "should immediately consult with Congress on an appropriate United States response to the tests"; and
- (4) The President should, consistent with the Taiwan Relations Act, "reexamine the nature and quantity of defense articles and services that may be necessary to enable Taiwan to maintain a sufficient self-defense capability in light of the heightened threat."

H. Con. Res. 148 (Cox/Solomon/Torricelli/Lantos). This resolution is expected to be brought to the House floor and voted upon on Tuesday, March 19. Like the Senate resolution, it makes a number of findings regarding the Chinese tests. Unlike the Senate resolution, H. Con. Res. 148 cites the historic relationship between the United States and "the Republic of China on Taiwan," the official title used by the authorities in Taipei pursuant to their claim to be the legitimate government of all China; this reference is certain to be taken by Beijing as a deliberate affront. Under the House language the Congress resolves that —

- (1) China "should immediately live up to its commitment to the United States to work for a peaceful resolution to any disagreements with Taiwan, and accordingly desist from military actions designed to intimidate Taiwan";
- (2) China "should engage in negotiations to discuss any outstanding points of disagreement with Taiwan without any threat of military or economic coercion against Taiwan";
- (3) Taiwan should negotiate its future relations with China by "mutual decision, not unilateral action" [i.e., Taiwan should not unilaterally declare independence from China];
- (4) Consistent with the Taiwan Relations Act, the United States should "maintain its capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan";
- (5) "The United States should maintain a naval presence sufficient to keep open the sea lanes in and near the Taiwan Strait";
- (6) "In the face of several overt military threats" by China against Taiwan, and consistent with the Taiwan Relations Act, the United States "should supply Taiwan with defensive weapons systems, including naval vessels, aircraft, and air defense, all of which are crucial to the security of Taiwan"; and
- (7) The United States "should assist in defending . . . the democratic government and people of Taiwan against invasion, missile attack, or blockade" by China.

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